

**THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

Commonwealth of Pennsylvania, )  
By Attorney General Josh Shapiro )  
Plaintiff, ) Case No. 3:CV-17-01814-RDM  
v. ) (Hon. Robert D. Mariani)  
Navient Corporation, *et al.*, )  
Defendants. ) DEFENDANTS' NOTICE OF  
 ) SUPPLEMENTAL AUTHORITY  
 ) Electronically Filed  
 )

**DEFENDANTS' NOTICE OF SUPPLEMENTAL AUTHORITY**

Pursuant to LR 7.36, Defendants hereby file this Notice regarding the Department of Education's ("ED") recently promulgated notice *Federal Preemption and State Regulation of [ED]'s Federal Student Loan Programs and Federal Student Loan Servicers*, 83 Fed. Reg. 10619 (Mar. 12, 2018). That notice details ED's formal position that, as Defendants' Motion to Dismiss argues, federal law preempts efforts "to apply State consumer protection laws to a [federal] loan servicer," both expressly and because such claims "'would create an obstacle to the achievement of congressional purposes.'" *Id.* (quoting *Chae v. SLM Corp.*, 593 F.3d 936 (9th Cir. 2010)).

Dated: March 13, 2018

Respectfully submitted,

By: /s/ Daniel T. Brier

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Navient Solutions, LLC*

**CERTIFICATE OF SERVICE**

I, Daniel T. Brier, hereby certify that a true and correct copy of the foregoing Notice of Supplemental Authority was served upon all counsel of record who are deemed to have consented to electronic filing through the Court's CM/ECF system on this 13th day of March, 2017.

/s/ Daniel T. Brier  
Daniel T. Brier